

**Amendment Under 37 C.F.R. § 1.111
Appln. No. 10/663,761**

Atty, Dkt. No. Q77531

AMENDMENTS TO THE DRAWINGS

Please replace drawing sheets 1 and 2 with the attached replacement sheets.

Attachment: Replacement Sheet(s)

REMARKS

Claims 1,2 and 5-7 are all the claims pending in the application. Claims 3 and 4 have been canceled without prejudice or disclaimer. Claims 1-7 stand rejected.

Preliminary Matters

Applicant thanks the Examiner for acknowledging the claim for foreign priority and receipt of a certified copy of the priority document. Applicant also thanks the Examiner for considering the references cited with the Information Disclosure Statement filed September 17, 2003.

Drawing Objections

The Examiner objected to the drawings indicating that FIG. 2 should be labeled as FIG. 2A, FIG. 2B and FIG. 2C. FIG. 3 was similarly objected to. Applicant respectfully requests that the Examiner withdraw this objection for the self-explanatory changes made to the drawings.

Specification Objection

The Examiner objected to the Specification for an anticipated discrepancy between the required drawing amendments and the present Specification. Applicant respectfully requests that the Examiner withdraw this objection in light of the self-explanatory amendments made to the Specification with this Amendment.

Claim Rejections - 35 U.S.C. § 112, First Paragraph

The Examiner rejected claims 1-7 for containing subject matter which was not described in the Specification in such a way as to enable one skilled in the art to make and/or use the invention. Applicant also requests that the Examiner withdraw this rejection in light of the claim amendments included with this Amendment.

Claim Rejections - 35 U.S.C. § 102(b) - Claims 1, 3 and 5-7

The Examiner rejected claims 1, 3 and 5-7 as being anticipated by Bolger (US 5,168,451). Applicant traverses this rejection as follows.

Bolger describes a first system where the vehicle does not stop at an unoccupied station, or when the station is not a destination of a passenger of the vehicle (col. 2 lines 43-47); and a second system where the vehicle never stops or does not travel unless/until a service request is dispatched (col. 2, lines 48-62).

Applicant submits that Bolger fails to disclose, at least, modifying the running of the vehicles traveling on the line by acting at each station at which an overloaded vehicle arrives to reduce a time interval between the departure of the overloaded vehicle and the departure of a preceding vehicle.

First, Bolger describes that the transit vehicles flow throughout the local service area without predetermined routes or schedules. (Abstract) Movement of the vehicles is determined solely by the dispatches assigned to them in real time response to a service request. (*Id.*) Thus, there is no disclosure within Bolger of “vehicles traveling on a line,” as Bolger is directed to independent vehicles without predetermined routes.

Second, modifying of vehicles traveling the line at each station at which an overloaded vehicle arrives, is not disclosed. Bolger describes a real time response, based on the time of a service request. (Abstract) There is simply no disclosure within Bolger that a modification is made at each station where an overloaded vehicle arrives.

Finally, there is no description within Bolger of reducing a time interval between a departure of a overloaded vehicle and the departure of a preceding vehicle. To the contrary, each

dispatched vehicle 40 services its dispatched pickup and destination locations in the most appropriate order using the most efficient travel path as determined by the operator in view of his experience in traveling throughout the service cell and his awareness of traffic conditions. (col. 11, lines 17-23) There is absolutely no disclosure in Bolger even remotely related to reducing a time interval of departures between vehicles.

For at least the above reasons, Applicant respectfully submits that independent claim 1 is allowable over the applied reference Bolger. Furthermore, claims 5-7 should be allowed, at least because of their dependency.

Claim Rejections - 35 U.S.C. § 103(a) - Claims 2-7

The Examiner rejected claims 2-7 as being unpatentable over Bolger as applied to claim 1. Because neither Bolger nor any of the attempted combinations forwarded in this rejection compensate for the deficiencies of Bolger described above, Applicant respectfully submits that claims 2-7 are allowable over the applied combinations.

Thus, Applicants submit that claims 2-7 are allowable over Bolger as modified by the Examiner.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
Appln. No. 10/663,761

Atty, Dkt. No. Q77531

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



David P. Emery
Registration No. 55,154

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 28, 2006